

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FIREMAN'S FUND INSURANCE COMPANY,
as subrogee of Evergreene Painting Studios, Inc.
Plaintiff,

08 Civ. 5365 (CM) (MHD)

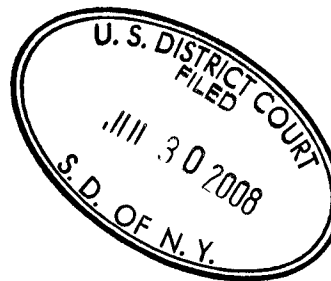
-against-

450 WEST 31ST STREET OWNERS CORP.,
RENOVATIONS MECHANICAL CONTRACTING
INCORPORATED, TPC II CONTRACTORS, INC.,
METROMOTION PRODUCTIONS, INC. and
DAYLIGHT STUDIOS, L.L.C.
Defendants.

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States Courts for the Southern and Eastern Districts of New York, I, Robert W. Phelan, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Matthew F. Noone
Firm Name: Cozen O'Connor
Address: 1900 Market Street
City/State/Zip: Philadelphia, PA 19103
Phone Number: 215-665-2192
Fax Number: 215-701-2192
E-Mail Address: mnoone@cozen.com



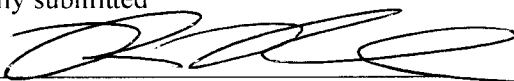
Matthew F. Noone is a member in good standing of the Commonwealth of Pennsylvania and the State of New Jersey, as well as the United States District Courts for the Eastern Districts of Pennsylvania and the District of New Jersey.

There are no pending disciplinary proceedings against Matthew F. Noone in any state or federal court.

Dated: July 18, 2008
New York, NY

Respectfully submitted

By:


Robert W. Phelan, Esquire
SDNY Bar Code RP3825
COZEN O'CONNOR
45 Broadway Atrium, 16th Floor
New York, NY 10006
Phone Number : 212-509-9400
Fax Number: 212-509-9492

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FIREMAN'S FUND INSURANCE COMPANY,
as subrogee of Evergreene Painting Studios, Inc.

08 Civ. 5365 (CM) (MHD)

Plaintiff,

-against-

450 WEST 31st STREET OWNERS CORP.,
RENOVATIONS MECHANICAL CONTRACTING
INCORPORATED, TPC II CONTRACTORS, INC.,
METROMOTION PRODUCTIONS, INC. and
DAYLIGHT STUDIOS, L.L.C.

**AFFIDAVIT OF ROBERT W. PHELAN IN
SUPPORT OF MOTION
TO ADMIT COUNSEL
*PRO HAC VICE***

Defendants.

State of New York)
)
County of New York) ss:

Robert W. Phelan, being duly sworn, hereby deposes and says as follows:

1. I am a member of the law firm of Cozen O'Connor, attorneys for the plaintiff, Fireman's Fund Insurance Company, in the above-captioned matter. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of plaintiff's motion to admit Matthew F. Noone as counsel *pro hac vice* to represent plaintiff in this matter.
2. I am a member in good standing of the Bar of the State of New York. I am also admitted to the Bard of the United States District Court for the Southern District of New York and am in good standing with this Court.
3. I have known Matthew F. Noone for more than one year
4. Matthew F. Noone is a member of the firm of Cozen O'Connor, Philadelphia Pennsylvania.

5. Mr. Noone is a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Civil procedure.
6. Accordingly, I move the admission of Matthew F. Noone *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Matthew F. Noone, *pro hac vice*, which is attached hereto as Exhibit "A".

Wherefore, it is respectfully requested that the to the motion to admit of Matthew F. Noone *pro hac vice* to represent Plaintiff in the above captioned matter, be granted.

Dated: July 28, 2008

Respectfully submitted

By:



Robert W. Phelan, Esquire (RP3825)
COZEN O'CONNOR
45 Broadway, 16th Floor
New York, NY 10006
Phone Number : 212-908-1274

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FIREMAN'S FUND INSURANCE COMPANY,
as subrogee of Evergreene Painting Studios, Inc.

08 Civ. 5365 (CM) (MHD)

Plaintiff,

-against-

450 WEST 31ST STREET OWNERS CORP., RENOVATIONS
MECHANICAL CONTRACTING INCORPORATED, TPC II
CONTRACTORS, INC., METROMOTION PRODUCTIONS,
INC. and DAYLIGHT STUDIOS, L.L.C.

**AFFIDAVIT OF MATTHEW F.
NOONE IN SUPPORT OF MOTION
TO ADMIT COUNSEL
*PRO HAC VICE***

Defendants.

Commonwealth of Pennsylvania)
)
County of Philadelphia) ss:

I, Matthew F. Noone being duly sworn according to law, depose and say as follows:

1. I am a member of the law firm of Cozen O'Connor, which maintains an office at 45 Broadway Atrium, New York, New York 10006.

2. I submit this affidavit in support of my motion to practice pro hac vice on behalf of the plaintiff, Fireman's Fund Insurance Company, in the above-captioned matter.

3. I am admitted to practice in the Bars of the Commonwealth of Pennsylvania and the State of New Jersey, as well as the United States District Courts for the Eastern Districts of Pennsylvania and the District of New Jersey. A copy of my Certificate of Good Standing is attached hereto as Exhibit "A".

4. There are no disciplinary proceedings of any kind against me in any state or federal court.

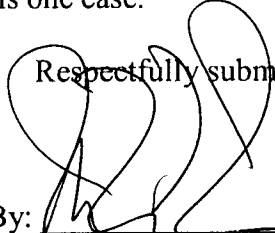
5. I have read and am familiar with the Judicial Code (Title 28 U.S.C.), the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, the Local Rules of the United States District Court for the Southern District of New

York and the New York State Lawyer's Code of Professional Responsibility, and I will faithfully adhere thereto.

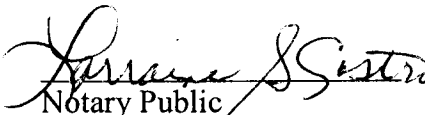
6. Wherefore your affiant respectfully submits the he be permitted to appear as counsel and advocate pro hac vice in this one case.

Respectfully submitted

By:


Matthew F. Noone, Esquire
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
215-665-2192
mnoone@cozen.com

Sworn to me and subscribed
before me this 18 day
of July 2008


Notary Public

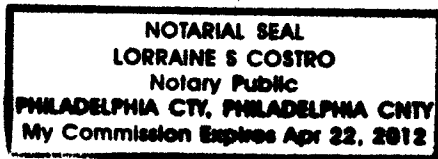


EXHIBIT A



Supreme Court of Pennsylvania

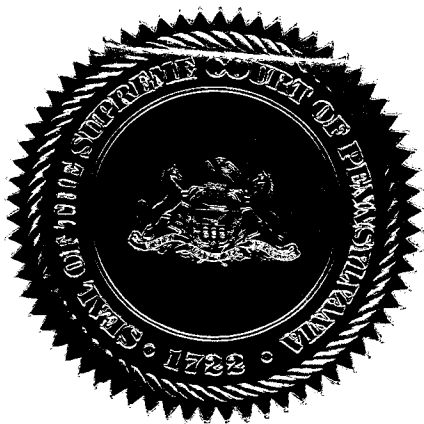
CERTIFICATE OF GOOD STANDING

Matthew F. Noone, Esq.

DATE OF ADMISSION

December 15, 1993

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: June 30, 2008

A handwritten signature in black ink, reading "Patricia R. Johnson".

Patricia R. Johnson
Chief Clerk

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Plaintiff,

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-against-

450 WEST 31ST STREET OWNERS CORP.,
RENOVATIONS MECHANICAL CONTRACTING
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METROMOTION PRODUCTIONS, INC. and
DAYLIGHT STUDIOS, L.L.C.
Defendants.

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Robert W. Phelan, attorney for Plaintiff Fireman's Fund Insurance Company, as subrogee of Evergreene Painting Studios, Inc. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED THAT

Applicant's Name:	Matthew F. Noone
Firm Name:	Cozen O'Connor
Address:	1900 Market Street
City/State/Zip:	Philadelphia, PA 19103
Phone Number:	215-665-2192
Fax Number:	215-701-2192
E-Mail Address:	mnoone@cozen.com

is admitted to practice pro hac vice as counsel for Plaintiff in the above captioned case in the United States Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF), system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac fee to the Clerk of the Court.

Dated: _____

United States District/Magistrate Judge

CERTIFICATE OF SERVICE

I, Robert W. Phelan, hereby certify that on July 30, 2008, a copy of the foregoing Motion to Admit Counsel Pro Hac Vice was served upon the following defendants this 30th day of July, 2008 by First Class Mail, postage pre-paid as follows:

Dennis M. Perlberg, Esq.
Speyer & Perlberg, LLP
Attorneys for Defendant, 450 West 31st Street Owners Corp.
115 Broadhollow Road
Suite 250
Melville, New York 11747
(631) 673-6670
File No.: 08-DMP

Law Offices of John P. Humphreys
3 Huntington Quadrangle
Suite 102S
Melville, New York 11747-4608
Attorneys for Defendants, Metromotions Productions, Inc. and Daylight Studios, L.L.C.
(631) 501-3000

RENOVATIONS MECHANICAL CONTRACTING INCORPORATED
111 Elmwood Avenue
Langhorne, Pennsylvania 19047

TPC II CONTRACTORS, INC.
140 35th Street
Brooklyn, New York 11232



Robert W. Phelan, Esq. (RP-3825)